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SCIENCE & TECHNOLOGY LAW

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 13 2004

In re application of: Garner et al.

Group Art Unit: 2177

Serial No. 09/865,090

Examiner: Wong, L.

Filed: May 24, 2001

Attorney Docket No. UTSD:0668

For: *Program for Microarray Design and Analysis*

CERTIFICATE OF TRANSMISSION

I hereby certify that this corr is being transmitted by facsimile to the Comm for Patents at 703-872-9306 on May 10, 2004.

Signature

Richard Aron Osman

RESPONSE

OFFICIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Wong:

Thank you for the Action dated Feb 6, 2004. The prior Action of Oct 31, 2003 rejected our claims over Ford in view of Chin and MacLeod. The present Action instead cites Wolffe in view of Hennig, Lincoln, Chin and MacLeod. We appreciate that the claimed subject matter is arcane and not easy to examine; however, we believe that the newly cited art similarly does not provide a remotely colorable suggestion of the subject claims.

All our claims recite a highly-specialized computational system for creating a targeted collection of sequences from a dataset or plurality of datasets of sequence identifiers corresponding to natural complex biopolymer sequences which may be linked to corresponding annotations. For instance, in a practical application, the targeted collection of sequences may be used to assemble cDNA sequences for a particular gene expression microarray. Accordingly, the system of our representative claim 1 must provide all four of the following functions:

- a) a search function which searches the annotations of the dataset according to a user-defined criterion and outputs a first subset of the dataset restricted by the criterion;
- b) a redundancy reducing function which compares the first subset with a first database correlating the sequence identifiers of the first subset with syngeneic biopolymers and outputs a second subset of the dataset having reduced unique, natural complex biopolymer redundancy

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